

MONDAY, FEBRUARY 22, 1988

SIXTIETH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Dr. Pam McDaniel, Concord United Methodist Church, Decaturville, Tennessee, guest of Representative L.H. Ivy.

Representative L.H. Ivy led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 95

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 95.

The Speaker announced that Representative Clark was excused because of illness.

The Speaker announced that Representative Jared was excused because of illness.

The Speaker announced that Representative Whitson was excused because of business.

REGULAR CALENDAR

*~~House~~ **Bill No. 1980** -- State Government -- Permits governor to enter into contracts or cooperate with other states to establish or administer federal grant programs. Amends TCA 4-4-116.

Rep. Turner (Hamilton) moved that House Bill No. 1980 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 93
Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gala, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

***House Bill No. 1981 -- Workers' Compensation -- Expands definition of "employee" for purposes of workers' compensation law. Amends TCA 50-6-106, 113, 50-6-209.**

Rep. Turner (Hamilton) moved that House Bill No. 1981 be passed on third and final consideration.

Rep. Turner (Hamilton) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1981 by deleting Sections 1 and 2 in their entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-106(1), is amended by designating the existing language as subsection (1)(a) and by adding the following new subsection:

(1) (b) Notwithstanding the provisions of subsection (a) above, a leased operator and/or a leased owner/operator of a motor vehicle under contract to a common carrier may elect to be covered under any policy of workers' compensation insurance insuring the common carrier upon written agreement of the common carrier, by filing written notice thereof, on a form prescribed by the Commissioner of Labor, with the Division of Workers' Compensation; provided, however, such election shall in no way terminate or affect the independent contractor status of the leased operator and/or leased owner/operator for any other purpose than to permit workers' compensation coverage. Such election of coverage may be terminated by the leased operator, leased owner/operator, or common carrier by providing written notice of such termination to the Division of Workers' Compensation and to all

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other parties consenting to the prior election. Such termination shall be effective thirty (30) days from the date of such notice to all other parties consenting to the prior election and to the Division of Workers' Compensation.

SECTION 2. Tennessee Code Annotated, Section 50-6-113, is amended by adding the following new subsection as subsection (e):

(e) A subcontractor under contract to a general contractor may elect to be covered under any policy of workers' compensation insurance insuring the contractor upon written agreement of the contractor, by filing written notice thereof, on a form prescribed by the Commissioner of Labor, with the Division of Workers' Compensation; however, such election shall in no way terminate or affect the independent contractor status of the subcontractor for any other purpose than to permit workers' compensation coverage. Such election of coverage may be terminated by the subcontractor or general contractor by providing written notice of such termination to the Division of Workers' Compensation and to all other parties consenting to the prior election. Such termination shall be effective thirty (30) days from the date of such notice to all other parties consenting to the prior election and to the Division of Workers' Compensation.

Rep. Turner (Hamilton) moved to place House Bill No. 1981 on the calendar for Wednesday, February 24, 1988, which motion prevailed.

House Bill No. 1353 -- Marriage -- Grants municipal mayors the authority to solemnize marriages and receive compensation for it. Amends TCA, Title 36, Ch. 3, Pt. 3.

On motion, House Bill No. 1353 was made to conform with Senate Bill No. 1384.

On motion, **Senate Bill No. 1384**, on same subject, was substituted for House Bill No. 1353.

Rep. Crain moved passage of Senate Bill No. 1384 on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

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Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

***House Bill No. 1437 -- Pensions and Retirement Benefits --** Revises eligibility for membership in TCRS. Amends TCA 8-34-126; Title 8, Ch. 34, Pt. 3, 8-34-601, 8-35-203, 8-35-403, 409, 8-36-102; Title 8, Ch. 36, Pt. 2, 8-37-214. Repeals TCA 8-35-116, 8-35-221, 8-36-205.

Rep. Rhinehart moved that House Bill No. 1437 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1437 by deleting the existing Section 8 in its entirety and substituting in its place the following:

SECTION 8. Tennessee Code Annotated, Section 8-36-209(b) is amended by adding the following language is a new subdivision (3) and renumbering the existing subdivision (3) accordingly:

(3)(A) Notwithstanding anything to the contrary, effective July 1, 1988, any member of the general assembly retired prior to November 8, 1988 shall receive an increase in his retirement allowance equal to ten dollars (\$10.00) per month for each year of creditable service. This increase shall be reduced in accordance with the optional retirement allowance selected by the member pursuant to Section 8-36-601.

(B) Implementation of the provisions of this subdivision shall be subject to funding being provided in the General Appropriations Act.

On motion, the amendment was adopted.

Thereupon, Rep. Rhinehart moved that House Bill No. 1437, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes	90
Noes	0
Present and Not Voting	4

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wood, Yelton and Mr. Speaker Murray -- 90.

Representatives present and not voting were: Coffey, Copeland, Nance and Wolfe -- 4.

A motion to reconsider was tabled.

House Bill No. 1829 -- Railroads -- Established fees for railroads in Tennessee. Amends TCA 65-3-201. by *Rhinehart.

Rep. Rhinehart moved that House Bill No. 1829 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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***House Bill No. 1514 -- Animals --** Includes Davidson County in authorization for humane society to provide care to certain animals with certain legal rights against owner. Amends TCA 39-3-107. by *West.

On motion, House Bill No. 1514 was made to conform with Senate Bill No. 1683.

On motion, **Senate Bill No. 1683**, on same subject, was substituted for House Bill No. 1514.

Rep. West moved passage of Senate Bill No. 1683 on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and Not Voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Draw, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 93.

Representative present and not voting was: Chiles -- 1.

A motion to reconsider was tabled.

***House Bill No. 1406 -- General Assembly --** Exempts member of General Assembly from penalties imposed by licensure boards if conflict caused by attendance at sessions or committee meetings.

Rep. Hobbs moved that House Bill No. 1406 be passed on third and final consideration.

Rep. Hurley moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1406 by adding the following language as a new section to be appropriately designated immediately preceding the effective date section, and by renumbering the effective date section accordingly:

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Section __. Tennessee Code Annotated, 62-13-104, is further amended by designating the language as amended by Section 1 of this act as subsection (a), and by adding the following language as a new subsection (b):

(b) Notwithstanding any other provision of this chapter or rule or regulation to the contrary, any provision of law or rule or regulation which has the effect of prohibiting reinstatement or reactivation of a license upon the payment of the applicable fees and penalties shall not apply to any person who has retired his license or who has been placed in "inactive" status if the following conditions are applicable:

(1) such person's license was revoked, suspended, or downgraded while his license was retired or in inactive status merely because the educational requirements of Section 62-13-303 were not completed within the required time; and

(2) such educational requirements were completed within two (2) years from the date the license was retired or placed in inactive status and all additional educational requirements, if any, have been met; and

(3) the reinstatement fees and penalties specified in Sections 62-13-318 and 62-13-319 are paid.

If all of the above conditions are met, the license of such person shall be reactivated.

On motion, the amendment was adopted.

Thereupon, Rep. Hobbs moved that House Bill No. 1406, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	2
Present and Not Voting	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Gargett, Good, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray — 90.

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Representatives voting no were: Chiles and Copeland -- 2.

Representatives present and not voting were: Coffey and Harrill -- 2.

A motion to reconsider was tabled.

House Bill No. 1558 -- Insurance, Fire and Casualty -- Gives insurance companies option of providing punitive damage coverage. Amends TCA, Title 56, Ch. 7. by *Buck, *Burnett.

Rep. Buck moved that House Bill No. 1558 be passed on third and final consideration.

Rep. Williams moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1558 by adding the following new subsection to the amendatory language of Section 1:

(d) Any insurer electing to offer policies with punitive damage coverage shall also offer casualty insurance policies without punitive damage coverage with rates calculated accordingly.

On motion, the amendment was adopted.

Rep. Rhinehart moved the previous question, which motion prevailed.

Thereupon, Rep. Buck moved that House Bill No. 1558, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	5
Present and Not Voting	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Dyer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Washington), Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Williams, Winningham, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 85.

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Representatives voting no were: Gaia, Jones, R. (Shelby), Scruggs, Shirley and Wheeler -- 5.

Representatives present and not voting were: Dixon, Long and Turner, C. (Shelby) -- 3.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 2439 -- Henderson -- Revises city charter by changing date of election of certain officers, salaries of certain persons and board meeting dates. Amends Chapter 198, Acts of 1901, as amended.

House Joint Resolution 0527 -- Memorials, Professional Achievement -- Honors Ethel Amacher for service as social worker for children's issues.

House Joint Resolution 0528 -- Memorials, Sports -- Honors Richard Glasper on becoming head football coach at Austin-East High School.

House Joint Resolution 0529 -- Memorials, Personal Achievement -- Honors Charles Lehnert for success with "Southern Belle," a chiangus heifer.

Rep. Phillips moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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UNFINISHED BUSINESS

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 417: Rep. Hassell added as a sponsor.

House Bill No. 1544: Rep. Dixon added as a prime sponsor.

House Bill No. 2323: Rep. Cain added as a sponsor.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0094 -- Memorials, Congratulations -- Honors Edward and Emogene Pendergrass on 50th wedding anniversary. by *Winningham.

The Speaker referred House Joint Resolution No. 94 to the Calendar and Rules Committee.

House Joint Resolution 0530 -- Constitutional Amendments -- Revises tax structure to consist solely of sales and use and income taxes. Amends Constitution, Article II, Sections 28, 29 and 30 and Article XI, Section 9. by *Copeland.

The Speaker referred House Joint Resolution No. 530 to the Judiciary Committee.

House Joint Resolution 0531 -- Memorials, Retirement -- Honors Richard Lineberry on retirement from Tennessee Highway Patrol. by *Ivy.

The Speaker referred House Joint Resolution No. 531 to the Calendar and Rules Committee.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Senate Joint Resolution 0349 -- Memorials, Congratulations -- Honors Stacey Joah Greene on selection as 1988 Tennessee Honey Queen.

The Speaker referred Senate Joint Resolution No. 349 to the Calendar and Rules Committee.

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RESOLUTIONS LYING OVER

Senate Joint Resolution 0295 -- Memorials, Recognition and Thanks -- Requests governor to set date for all senate secretaries to visit mansion.

The Speaker referred Senate Joint Resolution No. 295 to the State and Local Government Committee.

INTRODUCTION OF BILLS

House Bill No. 2450 -- Spring Hill -- Authorizes levying and collection of impact fees against certain new development. by *Napier, *Hobbs, *Frensley.

Passed first consideration.

***House Bill No. 2451** -- Zoning -- Changes time for adverse action on zoning changes by regional planning commission. Amends TCA 13-7-1005. by *Holt.

Passed first consideration.

House Bill No. 2452 -- Jackson County -- Revises various provisions relative to the Gainesboro Port Authority. Amends Chapter 320 of the Private Acts of 1974. by *Winningham.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 1823** -- County Government -- Eliminates public notice requirement for county purchase of fuel products. Amends TCA 5-14-108, 5-14-204, 6-56-304.

Passed first consideration.

***Senate Bill No. 1338** -- State Employees -- Provides for additional telephone service and operators for state government and additional compensation for state telephone operators.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 2314.

***Senate Bill No. 1520** -- Alcoholic Beverages -- Authorizes buy back of stock of retailers in certain circumstances. Amends TCA, Title 57, Chs. 3, 4.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 2258.

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Senate Bill No. 1551 -- Municipal Government -- Allows certain municipalities to impose charges for sewer service as a special assessment.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 1431.

***Senate Bill No. 1589** -- Jails and Jailers -- Grants county legislative body authority to contract with sheriff for operation of county workhouse. Amends TCA 8-24-103, 41-2-104.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 2182.

***Senate Bill No. 1654** -- State Employees -- Allows person in shared career service job to return to full time service in certain circumstances. Amends TCA 8-30-320.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 1572.

***Senate Bill No. 1676** -- Local Government -- Permits chief officers of local governments to request emergency assistance. Amends TCA, Title 58, Ch. 2, Pt. 6.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 1865.

***Senate Bill No. 1679** -- Metropolitan Government -- Enables airport authority to insulate property for noise and to pay off bonds with dedicated tax revenues. Amends TCA, Title 42, Ch. 4.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 1506.

***Senate Bill No. 1697** -- Racing -- Removes state residency requirement of executive secretary of racing commission. Amends TCA 4-36-207.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 1571.

***Senate Bill No. 1791** -- Public Contracts -- Expands application of Small Business Purchasing and Contracting Act to include minority owned businesses. Amends TCA, Title 12, Ch. 3.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 1727.

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Senate Bill No. 1835 -- Zoning -- Exempts certain municipalities from enforcement process of zoning ordinances. Amends TCA 13-7-208.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 1579.

***Senate Bill No. 1840** -- Tennessee Arts Commission -- Creates full time position to monitor participation by ethnic minority artists and organizations in grant programs. Amends TCA, Title 4, Ch. 20.

Held on the Clerk's desk pending third and final consideration of the companion House Bill No. 1688.

HOUSE BILLS ON SECOND CONSIDERATION

***House Bill No. 2445** -- Grand Junction -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2446 -- Hardeman County -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2447 -- Westmoreland -- Passed second consideration and held on the Clerk's desk.

***House Bill No. 2448** -- Portland -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2449 -- Cookeville -- Passed second consideration and held on the Clerk's desk.

PETITIONS AND MEMORIALS

At the request of Rep. Kent, the Speaker asked Avron B. Fogelman and his family to come forward to be reconized by the House. The Clerk was directed to read Senate Joint Resolution No. 345, previously concurred in by the House, and Mr. Fogelman was presented a certificate honoring him.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1343 and 1344; House Joint Resolutions Nos. 510, 511 and 522, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

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MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 1369, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1406, 1437, 1558, 1829, 1980 and 2439; and House Joint Resolutions Nos. 527, 528 and 529; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1796; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 516, 517, 519 and 521; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1334, 1581, 1713, 1775, 1885, 2178, 2216 and 2278; also, House Joint Resolution No. 488; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1829; and Senate Joint Resolutions Nos. 343, 344, 347 and 348; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 48, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2445 and 2446.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following additional bills and/or resolutions on the Consent Calendar for Wednesday, February 24, 1988: House Bills Nos. 2445 and 2446; House Resolution No. 94; House Joint Resolution No. 531; and Senate Joint Resolution No. 349.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 94.

On motion of Rep. Naifeh, the House adjourned until 2:00 P.M. Wednesday, February 24, 1988.